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Attest: *Lyle W. Cayce*  
Clerk, U.S. Court of Appeals, Fifth Circuit

# United States Court of Appeals for the Fifth Circuit

\_\_\_\_\_  
No. 21-50378  
\_\_\_\_\_

United States Court of Appeals  
Fifth Circuit

**FILED**

April 1, 2022

Lyle W. Cayce  
Clerk

SAMUEL VELASCO GURROLA,

*Petitioner—Appellant,*

*versus*

UNITED STATES OF AMERICA,

*Respondent—Appellee.*

\_\_\_\_\_  
Application for Certificate of Appealability from the  
United States District Court for the Western District of Texas  
USDC No. 3:19-CV-320  
\_\_\_\_\_

## ORDER:

Samuel Velasco Gurrola was convicted of three counts of conspiracy to kill in a foreign country in violation of 18 U.S.C. § 956(a) and four counts of conspiracy to cause travel in foreign commerce in the commission of murder-for-hire in violation of 18 U.S.C. § 1958(a). The district court sentenced Gurrola to consecutive life sentences on four counts and concurrent life sentences on five counts. Gurrola moved to vacate his sentence and conviction under 28 U.S.C. § 2255, and the district court denied the motion. Gurrola now moves for a certificate of appealability

No. 21-50378

(“COA”), arguing that the district court improperly denied his ineffective assistance of counsel claims.

To obtain a COA, a movant must make “a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2); *see Slack v. McDaniel*, 529 U.S. 473, 484 (2000). A movant can satisfy this standard by “demonstrating that jurists of reason could disagree with the district court’s resolution of his constitutional claims or that jurists could conclude that the issues presented are adequate to deserve encouragement to proceed further.” *Miller-El v. Cockrell*, 537 U.S. 322, 327 (2003); *see also Slack*, 529 U.S. at 484. Gurrola has not met this standard.

Accordingly, IT IS ORDERED that the motion for a COA is DENIED.

/s/ Catharina Haynes  
CATHARINA HAYNES  
*United States Circuit Judge*

***United States Court of Appeals***

FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

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April 25, 2022

Ms. Jeannette Clack  
Western District of Texas, El Paso  
United States District Court  
525 Magoffin Avenue  
Room 108  
El Paso, TX 79901-0000

No. 21-50378      USA v. Gurrola  
USDC No. 3:19-CV-320

Dear Ms. Clack,

Enclosed is a copy of the judgment issued as the mandate and a copy of the court's opinion.

Sincerely,

LYLE W. CAYCE, Clerk

*Renee Mc Donough*

By: \_\_\_\_\_  
Renee S. McDonough, Deputy Clerk  
504-310-7673

cc:  
Mr. Joseph H. Gay Jr.  
Mr. Samuel Velasco Gurrola